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Attorneys for Defendants
 Uber Technologies, Inc. and Rasier, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MATTHEW PHILLIBEN, JULIAN MENA,)	Case No. 3:14-cv-05615-JST
TODD SCHREIBER, NATE COOLIDGE,)	
ERNESTO MEJIA, and BYRON)	DECLARATION OF RICHARD DUBOIS IN
MCKNIGHT, individually and on behalf of all)	SUPPORT OF MOTION FOR
others similarly situated,)	PRELIMINARY APPROVAL OF CLASS
)	SETTLEMENT
Plaintiffs,)	
)	Judge: Hon. Jon S. Tigar
vs.)	
)	
UBER TECHNOLOGIES, INC., a Delaware)	
Corporation; and RASIER, LLC, a Delaware)	
Limited Liability Company,)	
)	
Defendants.)	

1 I, Richard Dubois, declare as follows:

2 1. I have personal knowledge of the facts in this Declaration and, if called as a
3 witness, I could and would competently testify to these facts.

4 2. I am Executive Director of the National Consumer Law Center ("NCLC"). As
5 Executive Director of NCLC, I am responsible for priority setting, project assignments, and
6 quality of work at the organization, and direct all research, policy, and advocacy projects, as well
7 as NCLC policy-making, hiring, fundraising, and budgetary planning. I have been with NCLC
8 since 1997, having previously served as Deputy Director, as Director of Development and Project
9 Planning, and as an attorney focusing on foreclosure prevention and sustainable homeownership
10 issues. I have also been a co-author or contributing author of a number of NCLC materials,
11 including NCLC's treatise *Consumer Warranty Law*.

12 3. NCLC is a 501(c)(3) nonprofit organization dedicated to consumer protection and
13 the promotion of fairness and justice in the marketplace. NCLC was founded at the Boston
14 College School of Law in 1969, and employs many attorneys and advocates with 20 or more years
15 of specialized experience in consumer law.

16 4. For more than four decades, NCLC has been a leading source of legal and public
17 policy expertise on consumer issues for lawyers, federal and state policymakers, consumer
18 advocates, journalists, and front-line providers of community services. With a goal of protecting
19 consumers from, and redressing injuries caused by inaccurate, false and misleading statements or
20 omissions by businesses, NCLC has trained and advised thousands of advocates on consumer
21 legal issues, appeared in cases throughout the nation, worked with state and federal commissions
22 and legislatures, written investigative reports, and published leading legal practice manuals and
23 consumer guides.

24 5. As part of a 20-volume series of treatises on consumer law, NCLC publishes
25 *Unfair and Deceptive Acts and Practices* (9th ed. 2016), which summarizes, across all 50 states,
26 the relevant case law on topics like false, inaccurate, incomplete, and misleading advertising,
27 unsubstantiated claims, misrepresentations regarding a product's or seller's characteristics, and
28 breaches of contract or warranty.

1 6. In addition to producing these materials, NCLC trains thousands of attorneys and
2 other advocates every year at workshops, conference presentations, and webinars. By ensuring
3 that practitioners and advocates can understand and apply the existing legal framework, these
4 trainings protect consumers.

5 7. In addition to providing support for a national network of consumer attorneys and
6 advocates, NCLC combats misleading business practices through policy advocacy. NCLC has
7 filed comments with the Consumer Financial Protection Bureau regarding advertising issues in
8 connection with the financial exploitation of seniors. NCLC has written detailed analysis of the
9 Credit CARD Act's requirements for various types of advertising. In 2009, NCLC presented
10 testimony on the topic of home financing before the U.S. House Financial Services Committee,
11 and this testimony included information on false advertising. In 2010, the NCLC published a fact
12 sheet for elder advocates on home improvement scams, which included a section on false and
13 inaccurate advertising.

14 8. NCLC also produces books and other educational materials intended for consumers
15 themselves, and for our large network of lay advocates and service providers. Written in clear and
16 direct language, these materials give practical advice on consumer rights. NCLC writes and
17 disseminates scores of educational brochures to help consumers avoid a wide range of problems,
18 including inaccurate, false, misleading, unfair or deceptive marketing and sales practices. In
19 addition, *The NCLC Guide to Surviving Debt* (2016 edition) offers authoritative yet easy-to-
20 understand information for financially distressed consumers who are often victims of exploitative
21 and abusive practices.

22 9. NCLC also responds to requests from journalists for information and disseminates
23 papers on important consumer issues. We are consulted and quoted regularly by The New York
24 Times, The Wall Street Journal, USA Today, The Los Angeles Times, The Washington Post,
25 National Public Radio, and other major news organizations. We work with the media to alert
26 consumers to potentially misleading business practices, and to provide tips on practical steps that
27 the public can take to obtain relief from (or not be harmed by) improper business conduct.

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10. NCLC has received over 400 cy pres and class action settlement awards since 1997. These awards have funded activities including (a) researching and publishing materials on how state laws such as California's UCL and CLRA can be used to combat false, inaccurate or misleading advertising and other misleading business practices, (b) increasing the amount of legal resource materials on consumer protection litigation that is available electronically, (c) promoting the use of consumer protection statutes to reduce the harms caused by misleading or inaccurate advertising (by way of amicus briefs, case consultations, and providing strategic litigation advice), (d) engaging in consumer protection policy analysis and advocacy in the states (including writing special reports and producing model statutory language), and (e) raising public awareness of rights and remedies available under existing consumer protection law.

11. NCLC has been a frequent recipient of cy pres funds in connection with settlements involving claims under California's Unfair Competition Law, False Advertising Law, and Consumer Legal Remedies Act. *See, e.g., Tadeipalli v. Uber Techs., Inc.*, No. 15-CV-04348-MEJ, 2016 WL 1622881 at *2 (N.D. Cal. Apr. 25, 2016) (final approval of settlement); *Miller v. Ghirardelli Chocolate Co.*, No. 12-CV-04936-LB, 2015 WL 758094 at *8 (N.D. Cal. Feb. 20, 2015) (final approval of settlement); *Custom LED, LLC v. eBay, Inc.*, No. 12-CV-00350-JST, 2014 WL 2916871 at *2 (N.D. Cal. June 24, 2014) (final approval of settlement); *Gross v. Symantec Corp.*, No. 12-CV-00154-CRB, 2014 U.S. Dist. LEXIS 182985 at *6 (N.D. Cal. Mar. 21, 2014) (ordering cy pres distribution); *Johnson v. Gen. Mills, Inc.*, No. 10-CV-00061-CJC, 2013 WL 3213832 at *1 (C.D. Cal. June 17, 2013) (final approval of settlement); *Armuth v. Linton*, No. 11-CV-0220-AHM-(Ex), 2012 U.S. Dist. LEXIS 174779 at *2 (C.D. Cal. Dec. 7, 2012) (final approval of settlement).

12. If NCLC is approved as a recipient of a cy pres award in this case, NCLC will exclusively use any funds it receives to support our ongoing consumer education efforts via manuals, reports, treatises, training, conferences, and other methods. Funds awarded would not be used for any lobbying or litigation activities.

1 13. I declare under penalty of perjury under the laws of the United States of America
2 that the foregoing is true and correct.

3 Executed this 19th day of May 2017, at Boston, Massachusetts.

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